

State of South Dakota

SEVENTY-THIRD SESSION
LEGISLATIVE ASSEMBLY, 1998

374B0311

HOUSE BILL NO. 1018

Introduced by: Representative Kooistra and Senator
Albers

1 FOR AN ACT ENTITLED, An Act to raise the minimum driving age.

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

3 Section 1. That § 32-12-11 be amended to read as follows:

4 32-12-11. Any person who is at least ~~fourteen~~ fifteen years of age may apply to the
5 Department of Commerce and Regulation for an instruction permit. The department may, after
6 the applicant has successfully passed all parts of the examination other than the driving test and
7 paid a fee which is equal in amount to the fee prescribed for a driver's license in § 32-12-16, issue
8 to the applicant an instruction permit. The instruction permit entitles the ~~applicant~~ permit holder
9 while having the permit in ~~his~~ immediate physical possession to drive a motor vehicle upon the
10 public highways for a period of one hundred and eighty days if accompanied by a licensed
11 operator who is at least eighteen years of age, has had at least one year of driving experience,
12 and who is occupying a seat beside the driver unless the ~~permittee~~ permit holder is operating a
13 motorcycle or a moped. A motorcycle instruction permit entitles the permit holder, while having
14 the permit in ~~his~~ immediate physical possession, to operate a motorcycle during the hours of 6
15 a.m. to 8 p.m. if ~~he~~ the permit holder is accompanied by a licensed motorcycle operator who is

1 at least eighteen years of age, who has at least one year of driving experience and who is driving
2 another motorcycle along with the permit holder. No motorcycle instruction permit holder may
3 carry another person on the motorcycle. The permit is valid for thirty days. The permit may be
4 issued only once in a one-year period.

5 Section 2. That § 32-12-12 be amended to read as follows:

6 32-12-12. A restricted minor's permit may be issued, upon application and payment of the
7 proper fee as provided for in § 32-12-16, and passage of all driver's license examination tests,
8 to any minor between the ages of ~~fourteen~~ fifteen and sixteen years. A restricted minor's permit
9 entitles the permit holder, while having the permit in ~~his~~ immediate physical possession, to
10 operate a motor vehicle during the hours of 6 a.m. to 8 p.m. standard time if the motor vehicle
11 is being operated with the permission of the minor's parents or guardian and during the hours of
12 8 p.m. to 6 a.m. if the motor vehicle is being operated under the direction of the minor's parent
13 or guardian who is occupying a seat beside the driver. The restrictions as to time of operation
14 and operation under the direction of a parent or guardian do not apply to the permit holder of
15 a valid restricted minor's permit operating a self-propelled agricultural machine which is not
16 subject to registration under chapter 32-5.

17 Section 3. That § 32-12-29 be amended to read as follows:

18 32-12-29. The Department of Commerce and Regulation ~~shall~~ may not issue any license
19 under this chapter to any person who is under the age of sixteen years, except that the
20 department may issue a restricted license as provided in §§ 32-12-11 to 32-12-15, inclusive, to
21 any person who is at least ~~fourteen~~ fifteen years of age.